

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JUNIPER NETWORKS, INC., a Delaware corporation,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 11-1258-SLR
)	
)	JURY TRIAL DEMANDED
PALO ALTO NETWORKS, INC., a Delaware corporation,)	
)	
)	
Defendant.)	

**DEFENDANT PALO ALTO NETWORKS, INC.'S
PROPOSED CHANGES TO THE COURT'S PRELIMINARY JURY INSTRUCTIONS**

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Defendant Palo Alto Networks, Inc. (“PAN”) proposes the following changes to the Preliminary Jury Instructions (the “Instructions”) that the Court circulated on February 19, 2014:

The Instructions on page 1 refer to three patents-in-suit – the ’723, ’347, and ’612 patents. Juniper has recently indicated that it will reduce the number of its asserted claims, but it apparently still intends to proceed with three patents.¹ As noted in PAN’s letter of February 12, the three patents chosen by Juniper would impose too great a burden on the jury. The Court has not explicitly ruled on the number of patents to be tried.

Juniper’s infringement allegations for these patents target several different accused functionalities: (1) the “work queue entry,” “SSO,” “slow path,” and “fast path” for the ’723; (2) the “default rule special case” treatment for intrazone traffic for the ’347; and (3) the “Block IP” feature for the ’612. Presenting these accused functionalities will require different evidence, different source code, and different expert analyses for each one. While the ’612 and ’347 patents share a specification, Juniper has targeted different accused functionalities for each. To facilitate juror comprehension, PAN proposes that the trial go forward on two patents only.

Juniper has also indicated that it wishes to delete the glossary definitions of “File wrapper or Prosecution history,” “Office action,” “Prior art,” and “References.” PAN opposes those deletions, because those terms are relevant to the non-infringement analysis to be presented to the jury. Specifically, PAN’s expert may reference aspects of the prosecution history (including discussions of prior art references) that support his non-infringement analysis. Accordingly, those terms should remain in the glossary.

¹ Juniper has indicated that it will narrow its asserted claims to claim 1 of the ’723 patent; claims 1 and 24 of the ’347 patent; and claims 1, 6, 7, and 13 of the ’612 patent.

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By: /s/ Philip A. Rovner

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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on February 21, 2014 the within document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on February 21, 2014, the within document was served on the following persons as indicated:

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